

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CANDY M. SOUSA, On Behalf of Herself and)	No. 04-30022-MAP
All Others Similarly Situated,)
)
Plaintiff,)
)
vs.)
)
WAVE SYSTEMS CORPORATION, et al.,)
)
Defendants.)
)
<hr/> YOSEF STREICHER, On Behalf of Himself	No. 04-30026-KPN
and All Others Similarly Situated,)
)
Plaintiff,)
)
vs.)
)
WAVE SYSTEMS CORPORATION, et al.,)
)
Defendants.)
)
<hr/>)

[Caption continued on following page.]

RON ROGERS AND STEVE ALVAREZ'S NOTICE OF MOTION AND MOTION TO
CONSOLIDATE CASES FOR ALL PURPOSES AND FOR AN ORDER REGARDING
PRESERVATION OF DOCUMENTS

RAFAT DAWOD, Individually and On Behalf of All Others Similarly Situated,)	Civil Action No. 04-30029-KPN
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	
)	
WAVE SYSTEMS CORPORATION, et al.,)	
)	
Defendants.)	
)	
<hr/>		
ALVIN CHESS, Individually and On Behalf of All Others Similarly Situated,)	Civil Action No. 04-30037-MAP
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	
)	
WAVE SYSTEMS CORPORATION, et al.,)	
)	
Defendants.)	
)	
<hr/>		
MICHAEL D. VICKER, On Behalf of Himself and All Others Similarly Situated,)	Civil Action No. 04-30040-MAP
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	
)	
WAVE SYSTEMS CORPORATION, et al.,)	
)	
Defendants.)	
)	
<hr/>		

[Caption continued on following page.]

H. MARTIN BOHMAN, On Behalf of Himself) Civil Action No. 04-30041-MAP
and All Others Similarly Situated,)

Plaintiff,)

vs.)

WAVE SYSTEMS CORPORATION, et al.,)

Defendants.)

CLASS ACTION

JIMMY SUO, On Behalf of Himself and All) Civil Action No. 04-30042-MAP
Others Similarly Situated,)

Plaintiff,)

vs.)

WAVE SYSTEMS CORPORATION, et al.,)

Defendants.)

CLASS ACTION

JACK SCHULMAN, Individually and On) Civil Action No. 04-30043-MAP
Behalf of All Others Similarly Situated,)

Plaintiff,)

vs.)

WAVE SYSTEMS CORPORATION, et al.,)

Defendants.)

CLASS ACTION

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

Ron Rogers and Steve Alvarez will and hereby do move, pursuant to Rule 42 of the Federal Rules of Civil Procedure, to consolidate for all purposes the above-captioned eight related actions and for an order regarding the preservation of documents. The basis for the motion is that the eight related actions are virtually identical and raise common questions of fact and law. The motion is based on this notice of motion, the memorandum of points and authorities filed herewith, the files and records in each of these eight related cases and such other matters or arguments that the Court may consider at the hearing on this motion.

DATED: April 5, 2004

Respectfully submitted,

MOULTON & GANS, P.C.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail on April 5, 2004.

\S\ NANCY FREEMAN GANS
NANCY FREEMAN GANS

\S\ NANCY FREEMAN GANS
NANCY FREEMAN GANS, BBO #184540

33 Broad Street, Suite 1100
Boston, MA 02109
Telephone: 617/369-7979
617/369-7980 (fax)

[Proposed] Liaison Counsel

MILBERG WEISS BERSHAD
HYNES & LERACH LLP
JEFFREY W. LAWRENCE
STANLEY S. MALLISON
100 Pine Street, Suite 2600
San Francisco, CA 94111
Telephone: 415/288-4545
415/288-4534 (fax)

MILBERG WEISS BERSHAD
HYNES & LERACH LLP
WILLIAM S. LERACH
DARREN J. ROBBINS
401 B Street, Suite 1700
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)

[Proposed] Lead Counsel for Plaintiffs

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DECLARATION OF SERVICE BY FEDERAL EXPRESS AND FACSIMILE

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

2. That on April 5, 2004, declarant served the **RON ROGERS AND STEVE ALVAREZ'S NOTICE OF MOTION AND MOTION TO CONSOLIDATE CASES FOR ALL PURPOSES AND FOR AN ORDER REGARDING PRESERVATION OF DOCUMENTS** by depositing by Federal Express in San Francisco, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List. Declarant also served the parties by facsimile.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 5th day of April, 2004, at San Francisco, California.

\S\ DEBORAH DASH
DEBORAH DASH

WAVE SYSTEMS (Mass)

Service List - 4/2/2004 (04-0046M)

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Counsel For Defendant(s)

Robert A. Buhlman
Eunice E. Lee
Bingham McCutchen LLP
150 Federal Street
Boston, MA 02110
617/951-8000
617/951-8736(Fax)

Counsel For Plaintiff(s)

Jeffrey C. Block
Michael T. Matraia
Leslie R. Stern
Berman DeValerio Pease Tabacco Burt & Pucillo
One Liberty Square
Boston, MA 02109
617/542-8300
617/542-1194(Fax)

Sandy A. Liebhard
Joseph R. Seidman, Jr.
Bernstein Liebhard & Lifshitz, LLP
10 East 40th Street
New York, NY 10016
212/779-1414
212/779-3218(Fax)

Samuel H. Rudman
David A. Rosenfeld
Cauley Geller Bowman & Rudman, LLP
200 Broadhollow Road, Suite 406
Melville, NY 11747
631/367-7100
631/367-1173(Fax)

David Pastor
Gilman And Pastor, L.L.P.
Stonehill Corporate Center
999 Broadway, Suite 500
Saugus, MA 01906
781/231-7850
781/231-7840(Fax)

Jonathan M. Plasse
Christopher J. Keller
Goodkind Labaton Rudoff & Sucharow, LLP
100 Park Avenue, 12th Floor
New York, NY 10017-5563
212/907-0700
212/818-0477(Fax)

Harold B. Obstfeld
Harold B. Obstfeld, P.C.
260 Madison Avenue, 19th Floor
New York, NY 10016
212/696-1212
212/679-8998(Fax)

WAVE SYSTEMS (Mass)

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Page 2 of 3

Deborah R. Gross
Susan R. Gross
Law Offices Bernard M. Gross, P.C.
1515 Locust Street, 2nd Floor
Philadelphia, PA 19102
215/561-3600
215/561-3000(Fax)

Charles J. Piven
Law Offices of Charles J. Piven, P.A.
The World Trade Center
401 East Pratt Street, Suite 2525
Baltimore, MD 21202
410/332-0030
410/685-1300(Fax)

Marjorie A. McKeithen
McKeithen, McKeithen & Bohman
10771 Perkins Road, First Floor
Baton Rouge, LA 70810
225/766-6500

Jeffrey W. Lawrence
Stanley S. Mallison
Milberg Weiss Bershad Hynes & Lerach LLP
100 Pine Street, Suite 2600
San Francisco, CA 94111-5238
415/288-4545
415/288-4534(Fax)

William S. Lerach
Darren J. Robbins
Milberg Weiss Bershad Hynes & Lerach LLP
401 B Street, Suite 1700
San Diego, CA 92101-4297
619/231-1058
619/231-7423(Fax)

Nancy Freeman Gans
Moulton & Gans, P.C.
33 Broad Street, Suite 1100
Boston, MA 02109
617/369-7979
617/369-7980(Fax)

Susan E. Stenger
Perkins Smith & Cohen LLP
One Beacon Street, 30th Floor
Boston, MA 02108-3106
617/854-4000
617/854-4040(Fax)

Marc A. Topaz
Richard A. Maniskas
Schiffrin & Barroway, LLP
Three Bala Plaza East, Suite 400
Bala Cynwyd, PA 19004
610/667-7706
610/667-7056(Fax)

WAVE SYSTEMS (Mass)

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Page 3 of 3

Thomas G. Shapiro
Theodore M. Hess-Mahan
Shapiro Haber & Urmy, LLP
75 State Street
Boston, MA 02109
617/439-3939
617/439-0134(Fax)

Jules Brody
Aaron L. Brody
Tzivia Brody
Stull, Stull & Brody
6 East 45th Street, 4th Floor
New York, NY 10017
212/687-7230
212/490-2022(Fax)

Robert I. Harwood
Jeffrey M. Norton
Wechsler Harwood LLP
488 Madison Avenue, 8th Floor
New York, NY 10022
212/935-7400
212/753-3630(Fax)

Eduard Korsinsky
Zimmerman, Levi & Korsinsky, LLP
39 Broadway, Suite 1440
New York, NY 10006
212/363-7500
212/363-7171(Fax)